

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

WESTERN SURETY CO.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:23-cv-63-SNLJ
)	
HUFFMAN CONSTRUCTION, LLC,)	
et al.,)	
)	
Defendants.)	


MEMORANDUM AND ORDER

This matter is before the Court on defendants’ motion to quash and strike plaintiffs’ first requests for admissions directed to defendants [Doc. 16]. Plaintiff served its complaint on defendants on May 17, 2023. Also served with the complaint were plaintiff’s first request for admissions, which referenced Rule 59.01 of the Missouri Rules of Civil Procedure. The requests sought a response within 30 days. Defendant seeks to quash the requests as premature because the Federal Rules of Civil Procedure do not provide for discovery to be served with the complaint and because the Rule 26(f) scheduling conference has not yet occurred, nor have parties exchanged their Rule 26 disclosures. Plaintiff did not respond to the motion.

Accordingly,

IT IS HEREBY ORDERED that defendants' motion to quash [Doc. 16] is
GRANTED.

Dated this 25th day of July, 2023.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE